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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/557,991	04/25/2000	Susie J. Wee	10992724	8759

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IP Administration
Legal Department 20BN
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EXAMINER	
AN, SHAWN S	

ART UNIT	PAPER NUMBER
2613	5

DATE MAILED: 06/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	Applicant(s)
09/557,991	Susie Wee et al.
Examiner	**Art Unit**
Shawn An	2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *three* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *Mar 4, 2003* .

2a) ☒ This action is **FINAL.** 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *11-30* is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *11-30* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). *4*
4) ☐ Interview Summary (PTO-413) Paper No(s). _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Response to Amendment

1. As per Applicant's instructions in Paper 3 as filed on 3/4/03, claims 1-10 have been canceled and claims 11-30 have been newly added.

Response to Remarks

2. Applicant's arguments with respect to claims 11-30 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 11-12 and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Bailleul (6,181,743).

Regarding claims 11 and 25, Bailleul discloses a method of processing bitstream representing a compressed image frame sequence, and apparatus, comprising:

a video editor (Fig. 5);

receiving for each frames identifying a subset of image slices for the frame, wherein the subsets are independently encoded from other image slices, such that any motion vector point to an identified subset of another frame (Fig. 5, input to VLD, macroblock (transform coefficients) level by DCT (subset of frame; col. 5, lines 60-62);

decodings the subsets (Fig. 5, IQ, IDCT);

selectively editing decoded data (54),

encoding new image slices from decoded data and edited data (VLC); and

inserting the new image slices into the bitstream and generating a representative an output signal (VLC out);

Regarding claim 12, Bailleul discloses MPEG 2 (col. 1, lines 15-16).

5. Claims 21 and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Takahashi (5,912,709).

Regarding claim 21, Takahashi discloses an instructions stored on machine media (3, CPU), the instructions casing a machine to:

receiving for each frames identifying a subset of image slices that are associated with a selected object or spatial region in a video frame (Fig. 8, input to 11, macroblock or two dimensional block of pixels (transform coefficients) level by DCT (subset of frame; col. 1, lines 37-49));

decodings the identified slices (subset of frame) for at least several frames (1);

editing decoded data (Fig. 8, 4),

encoding new image slices from decoded data and edited data (2); and

inserting the new image slices into the bitstream and generating a representative an output signal (23).

Regarding claim 24, Takahashi discloses one of TV signal and a digital video signal (col. 1, lines 12-20).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 13-20 and 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bailleul (6,181,743).

Regarding claims 13, 15-16, 20, 27, and 28, as discussed above, identifying position of slice layer or total number of slice layer which includes one or more macroblocks arranged in the horizontal direction is well known in the MPEG encoding format. Therefore, it would have been obvious to identify image slices associated with the subset or one of an object, or fixed spatial region across image frames for a well known reason of editing. Furthermore, it would have been obvious to insert new information identifying slices of the subset into a frame header of the output signal so as to accommodate such as insertion of logos.

Regarding claim 14, Bailleul discloses inserting a logo (Fig. 5, Logo(n)) and generating TV broadcast signal (col. 1, lines 5-17).

Regarding claims 17-18 and 29-30, the Examiner takes official notice that a color correction, mixing images, a scaling, and cropping on image data as part of editing process is well

known and conventional in the art. Therefore, it would have been obvious to employ Bailleul's editing method so as to perform conventional color correction, mixing images, a scaling, or cropping on image data so as to make necessary corrections on the edited data. Furthermore, Bailleul discloses encoding decoded data and edited data including compressing and coding decompressed data and edited data to generate new image slices (Fig. 5).

Regarding claims 19 and 26, the Examiner takes official notice that setting up a bitstream parameter is well known in the art for an efficient rate control (note: Wee et al, 6,104,441).

8. Claims 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi (5,912,709).

Regarding claim 22, the Examiner takes official notice that a color correction, mixing images, a scaling, and cropping on image data as part of editing process is well known and conventional in the art. Therefore, it would have been obvious to employ Takahashi's editing method so as to perform conventional color correction, mixing images, a scaling, or cropping on image data so as to make necessary corrections on the edited data.

Regarding claim 23, the Examiner takes official notice that a color correction, mixing images, a scaling, and cropping on image data as part of editing process is well known and conventional in the art. Furthermore, Takahashi discloses encoding decoded data and edited data including compressing and coding decompressed data and edited data (Fig. 8). Therefore, it would have been obvious to employee Takahashi's editing method so as to perform conventional color correction, mixing images, a scaling, or cropping on image data so as to make necessary corrections on the edited data.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

A) Nonomura et al (6,094,234), Method of an apparatus for decoding video data.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawn An whose telephone number (703) 305-0099 and schedule are Tuesday through Friday.

SSA

May 29, 2003

CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600